

(1) Person Filing: _____
Street Address: _____
City, State, Zip: _____
Phone Number: _____
Representing Self

SUPERIOR COURT OF ARIZONA, COUNTY OF COCONINO

In re the marriage of _____ (4) Case Number: DO _____
(2) _____
Petitioner (My spouse) **RESPONSE TO PETITION FOR LEGAL
SEPARATION WITH CHILDREN**
(3) _____ Including Affidavit on Minor Children
Respondent (Me) (5) ☐ Contested Custody

I STATE THE FOLLOWING UNDER OATH:

1. THE PARTIES AND THE MARRIAGE:

(6) **My Spouse's Name:** _____
Street Address: _____ City, State, Zip: _____
Birthdate: _____ Phone Number: _____ Job title: _____
Number of months/years in a row to date my spouse has lived in Arizona: _____
If not living in Arizona now, my spouse ☐ lived ☐ did not live in Arizona at some point during our
marriage.

(7) **My Name:** _____
Street Address: _____ City, State, Zip: _____
Birthdate: _____ Phone Number: _____ Job title: _____
Number of months/years in a row to date I have lived in Arizona: _____
If not living in Arizona now, I ☐ lived ☐ did not live in Arizona at some point during our marriage.

(8) **The Marriage:** Date of Marriage: _____
City and state or country where we were married: _____

(9) Conciliation: ☐ Yes ☐ No: The conciliation provisions have been met or do not apply.

(10) Covenant Marriage: ☐ Yes ☐ No: We have a covenant marriage. If yes, a copy of our marriage license
is attached.

(11) Whether I Object to a Decree of Legal Separation:

☐ I want a legal separation.

☐ I do not want a legal separation, but I do want a divorce.

☐ I do not want a legal separation or divorce because the marriage is not irretrievably broken.

Military Service: I am not in military service.

(12) **Residency:** ☐ Yes ☐ No: I and/or my spouse lived in Arizona, or my spouse was stationed in Arizona
while a member of the Armed Forces, on the date my spouse filed the Petition.

2. MINOR CHILDREN OF THE MARRIAGE:

(13) **Pregnancy:** ☐ Yes ☐ No: Wife is pregnant. Baby is due on _____
☐ Yes ☐ No: Husband is believed to be the father.

(14) **Minor Children:** The following children, who are under 18 and my and the other party's biological or adopted children together, lived in Arizona for at least the six months before the other party filed the Petition or have lived in Arizona since birth.

CHILD'S NAME: _____ Birthdate: _____

Where this child lived, dates lived there, and with whom the child lived, over the last 5 years:

Address	Dates	With whom
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CHILD'S NAME: _____ Birthdate: _____

Where this child lived, dates lived there, and with whom the child lived, over the last 5 years:

Address	Dates	With whom
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CHILD'S NAME: _____ Birthdate: _____

Where this child lived, dates lived there, and with whom the child lived, over the last 5 years:

Address	Dates	With whom
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(15) ☐ Yes ☐ No: I have participated, as a party or witness or in any other capacity, in another court case, described below, about the custody or parenting time of a child named above.

CHILD'S NAME: _____ Case Number: _____

Court Name: _____ Date of Child Custody Determination: _____

Summary of Any Court Order: _____

CHILD'S NAME: _____ Case Number: _____

Court Name: _____ Date of Child Custody Determination: _____

Summary of Any Court Order: _____

(16) ☐ Yes ☐ No: Another court case, described below, involving a child named above, but not about custody or parenting time, could affect this case.

CHILD'S NAME: _____ Case Number: _____

Court Name: _____

The case is about: ☐ child support ☐ enforcement of court orders ☐ domestic violence

☐ a protective order ☐ adoption ☐ terminating parental rights ☐ a criminal matter ☐ other: _____

CHILD'S NAME: _____ Case Number: _____

Court Name: _____

The case is about: ☐ child support ☐ enforcement of court orders ☐ domestic violence
☐ a protective order ☐ adoption ☐ terminating parental rights ☐ a criminal matter ☐ other:

- (17) ☐ Yes ☐ No: Someone other than me or the other parent has physical custody or claims rights of legal or physical custody or visitation with a child named above, as described below.

CHILD'S NAME: _____ Other Person's Name: _____

Other Person's Address: _____

Nature of the Claim: _____

CHILD'S NAME: _____ Other Person's Name: _____

Other Person's Address: _____

Nature of the Claim: _____

- (18) **Child Support Enforcement:** ☐ Yes ☐ No: Arizona Child Support Enforcement has been involved in establishing spousal maintenance for me or the other parent or paternity or child support for any child named above, as described below. If yes, I will deliver a copy of this document to CSE on the day I file it.

CHILD'S NAME: _____

Name of court: _____ Court case number: _____

CHILD'S NAME: _____

Name of court: _____ Court case number: _____

- (19) **Summary of the Differences Between What I Say About the Children and What the Other Party Said In the Petition About the Children:**

3. GENERAL DENIAL: I deny anything stated in the Petition that I have not specifically admitted or qualified.

I ASK THE COURT TO ORDER THE FOLLOWING:

1. LEGAL SEPARATION:

- (20) ☐ Order that my spouse and I be legally separated.
(21) ☐ Direct that the Petition be changed to a Petition for Divorce.
☐ Yes ☐ No: My spouse and/or I have lived in Arizona for at least 90 days.
(22) ☐ Dismiss this case because:
☐ My spouse and I have a covenant marriage.
☐ The Petition claims our marriage is irretrievably broken, but it is not.
☐ Neither I nor my spouse lived in Arizona on the date my spouse filed the Petition.

2. CHILD CUSTODY AND PARENTING TIME:

- (23) ☐ I agree with the custody and parenting time the other party asked for in the Petition.
- (24) ☐ **Joint Custody:** Award the parents joint custody of the children as set forth in the Parenting Plan Joint Custody Agreement we signed. No significant domestic violence has occurred in our marriage.
- (25) ☐ **Sole Custody:** Award ☐ me or ☐ the other party sole legal custody and physical custody of the children, subject to the following parenting time rights to the non-custodial parent:

(26) ☐ **Parenting time as follows:**

- (27) ☐ **Supervised parenting time:** Unsupervised parenting time would seriously endanger the children's physical, mental, moral, or emotional health because:

Parenting time may take place only in the presence of another person, named as follows:

Other restrictions on parenting time:

The cost of supervised parenting time, if any, will be paid ☐ by the parent being supervised or ☐ by the custodial parent or ☐ equally by both parents.

- (28) ☐ **No parenting time:** Even supervised parenting time with the other parent would seriously endanger the children's physical, mental, moral, or emotional health because:

3. CHILD SUPPORT:

- (29) ☐ I agree with the child support the other party asked for in the Petition.
- (30) Order ☐ me or ☐ the other party to pay child support in a reasonable amount determined under the Arizona Child Support Guidelines. Order that the support obligation begins ☐ the first day of the first month following the entry of the Decree, ☐ the date of our physical separation on _____ or ☐ the date the Petition was filed. Order that payments be made through the Support Payment Clearinghouse by automatic wage assignment. If there are temporary child support orders, order a judgment for arrearages when the judge signs the Decree.

4. CHILDREN'S INSURANCE AND HEALTH CARE EXPENSES:

- (31) ☐ I agree with the division of children's insurance and health care expenses the other party asked for in the Petition.
- (32) Order ☐ me or ☐ the other party to pay for health, medical, and dental insurance for the children.
Order the parties to pay for all reasonable un-reimbursed medical, dental, and health related expenses incurred for the children in proportion to the parties' respective incomes as set forth in the most recent Parent's Worksheet for Child Support Amount.

5. SPOUSAL SUPPORT:

- (33) ☐ I agree with the spousal support the other party asked for in the Petition.
- (34) ☐ Neither party is entitled to spousal support.
☐ Award ☐ me or ☐ the other party \$_____ per month in spousal support from the other party beginning the first day of the month after the Decree is signed because he/she:
☐ Lacks sufficient property to provide for his or her reasonable needs
☐ Is unable to support himself or herself through appropriate employment
☐ Is the custodian of at least one child whose age or condition is such that the person should not be required to seek employment outside the home
☐ Lacks earning ability in the labor market adequate to support himself or herself
☐ Contributed to the educational opportunities of the other spouse
☐ Had a marriage of long duration and is now of an age that precludes the possibility of gaining employment adequate to support himself or herself
- Order that payments be made by the first day of each month thereafter and continue until the receiving party is remarried or deceased or until _____, whichever is sooner.
Order that payments be made through the Support Payment Clearinghouse by automatic wage assignment. If there are temporary spousal maintenance orders, order a judgment for arrearages when the judge signs the Decree.

6. PROPERTY AND DEBTS:

- (35) ☐ I agree with the division of property and debts the other party asked for in the Petition.
- (36) ☐ Order property and debts divided as stated in Exhibit A, attached.
- (37) **Summary Of the Differences Between What I Say About Property and/or Debts and What the Other Party Said In the Petition About Property and Debts:**

7. TAXES:

- (38) ☐ I agree with the tax status and tax exemptions asked for in the Petition.

(39) **Tax Status:** Order that for each tax year before the Decree is signed, the parties file as follows (unless agreed otherwise in writing at a later date).

☐ Married filing jointly:

Tax refunds divided as follows: Me: _____% My spouse: _____%

Taxes owed divided as follows: Me: _____% My spouse: _____%

☐ Married filing separately: Each party shall indemnify and hold the other party harmless from their assigned portion of any tax liabilities absent fraud or concealment.

(40) **Tax Exemptions:** Divide our income tax dependency exemptions as follows:

Parent Entitled to Claim

Me

My spouse

Child's name

Tax years

☐

☐

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(41) **8. I REQUEST THE FOLLOWING OTHER ORDERS:**

9. I REQUEST ANY OTHER ORDERS THAT THE COURT DEEMS APPROPRIATE.

CERTIFICATE OF SERVICE: I will mail or hand-deliver a copy of this Response to Petitioner on the day I file it.

(42) Signature: _____

State of Arizona)

)

County of _____)

Subscribed and sworn before me this date: _____ by: _____

Seal:

Notary Public: _____

Notary Expiration Date: _____